

GREAT BODY TO MEET IN THIS CITY

General Convention of Episcopal Church Will Come Here in 1907.

COMMITTEE HAS AGREED ON REPORT

Only Doubt Arose Over Question of Ability of Richmond to Take Care of Delegates. The Convention Will Adopt Recommendation.

(Special From a Staff Correspondent.) BOSTON, MASS., Oct. 8.—A joint committee of the two houses of the General Convention of the Episcopal Church, composed of Bishops Greer, of New York; Grafton, of Fond-Du-Lac, Garrettsville, Ohio; Gibson, of Richmond, and Randolph, of Norfolk, and the Rev. Doctors Clark, of Louisville; Kinsalvey, of Brooklyn, and Clamette, of San Francisco, and Messrs. J. Pierpont Morgan and Robert T. Fernald, today unanimously voted to recommend Richmond, Va., as the place for the next meeting of the convention, which occurs in October, 1907.

The Rev. William Meade Clark and Mr. Joseph Bryan appeared before the committee and presented the invitation, which had been adopted at the council of the Diocese of Virginia at its last meeting in May. Objection was raised that the hotel and boarding house accommodations in Richmond were not sufficient for such a large party, consisting of nearly six hundred members of the two houses of bishops and deputies and several thousand others who always attend, especially the representatives of the Women's Auxiliary. The whole subject was fully discussed, and the ability of Richmond to accommodate so large a number was fairly presented. Mr. Morgan and Bishop Greer thought New York could better meet the requirements of the case, and this was conceded by the advocates of Richmond, but the historic propriety of Richmond and the invitation of the Virginians prevailed.

The convention generally sits for three weeks, beginning the first Wednesday in October, and Richmond will have to begin in time to provide for taking care of such an accession to its transient population. The resolution has not yet been reported to the house, but there is no doubt of its adoption, and it is the general sentiment that Richmond is the proper place for the 1907 meeting. The only doubt arises over the question of accommodation.

J. B.

ROBBERS BREAK SAFE AND CAPTURE \$20,000

(By Associated Press.) FOWLER, IND., Oct. 8.—Robbers dynamited the bank at Fowler early today, and it is reported, stole \$20,000. The safe was blown open and looted and the entire side of the bank building was blown out.

The noise awakened the people of the town, who hurriedly gathered at the wrecked building, but the thieves were gone, and no clue has been obtained. Two strangers were in the town last night, but it is not known whether they had anything to do with the robbery. Everything of value in the safe was taken.

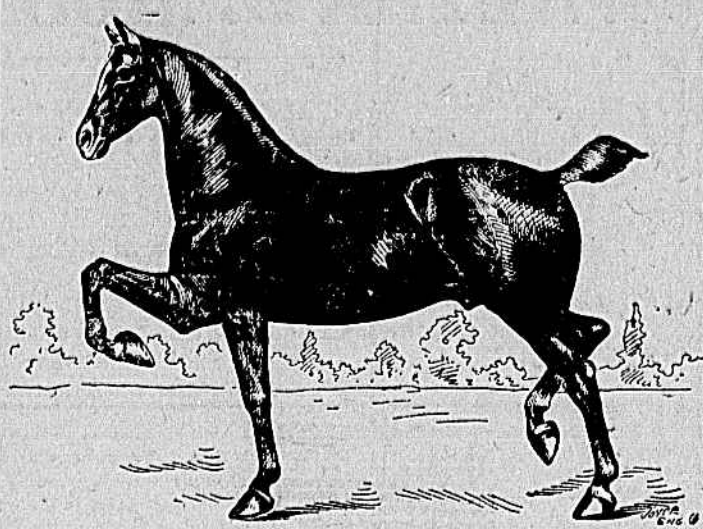
NO DANGER THAT INDIANS WILL STARVE

(By Associated Press.) WASHINGTON, D. C., Oct. 8.—Several days ago it was reported to the President that the Copper River Indians in Alaska were starving. He gave orders to the military officers commanding at Fort Liscomb to supply rations to the aborigines where necessary.

To-day the following telegram was received from Colonel Macdonald, the commanding officer at Fort Liscomb: "The Indians are not in need of rations. They watch conditions closely. Twenty-five hundred rations now at Copper Center."

MEN CAUGHT IN MINE HAVE ALL PERISHED

(By Associated Press.) DESSAU, DUCHY OF ANHALT, GERMANY, Oct. 8.—It is now known that all of the eighteen miners imprisoned by sudden inrush of water and mud in the Leopold Brown coal mine, near Koethen, Thursday, are dead. The bodies of the men cannot be reached.



Mrs. J. M. B. Grosvenor's Great Show Ring Harness Horse, "Fascination," Winner of Many Blue Ribbons at the Newport Horse Show This Year, and Which Will Be Seen at the Lynchburg Show Next Week.

PETITION IS DENIED

Bowling Green Trust Company Fails to Carry Its Point.

JUDGE WADDILL'S OPINION

One Feature of Street Railway Litigation Disposed of. Another Decision.

In the United States Circuit Court yesterday in the case of the Bowling Green Trust Company vs. the Virginia Passenger and Power Company and others, Judge Edmund Waddill, Jr., delivered his opinion as to the petition of certain individual bondholders and stockholders of the Virginia Passenger and Power Company, asking to be allowed as such to intervene in these proceedings, and to be made parties defendant, thereto, the court holding that the petitioners have not set forth such a case in their petition as entitled them to intervene here, and such right to intervention and the filing of their petition is denied.

The court then heard argument of counsel on the suggestion by the petitioning minority bondholders and stockholders that William Northrop, one of the receivers in this case, is not a proper person to be selected by reason of his connection with the property and his relation to some of the parties in interest. It was announced that the court will be delivered as to this question at noon on Tuesday, October 11th. The court, thereupon adjourned for the day.

The court in dealing with the first case holds that it is the well settled doctrine, too well established to need elaboration, that the trustee in the mortgage or trust deed or other instrument creating a trust estate speaks and acts for the cestui que trust, and that the latter are neither necessary nor proper parties, where the fitness of the particular trustee, or his conduct as such, in failing to officially, honestly or impartially discharge his duties, is not brought in question.

Cannot be Tolerated.

To admit each individual stockholder or bondholder of a corporation to appear of his own motion and proceed to assert his rights as he may be advised when the same can be as well asserted through the trustee will not be tolerated. Indeed, it has become the settled practice in mortgages of the character under consideration here, to provide in terms that the trustee shall, and the individual stockholder and bondholder shall not, assert this right. Numerous Federal decisions are referred to to sustain this position.

Judge Waddill Holds that the Petitioning

stockholder does not make a single averment entitling him, as such, to intervene in his own behalf.

The claim of the petitioners to intervene as individual bondholders is not based upon any attack upon the complaint trustee in the mortgage under which they are secured, for any malfeasance or misfeasance on its part of which it has thus far been guilty, but is directed first to the matter of the selection of the trustee, if the Bowling Green Trust Company having been substituted in the place of the Merchants' Trust Company of New York; and, second, to the unsuitability of the Bowling Green Trust Company to act as trustee by reason of the relation of certain bondholders and stockholders of the defendant Virginia Passenger and Power Company.

(Continued on Seventh Page.)

HORSE IS KING IN LYNCHBURG

Everything Is Now in Readiness for the Exhibition Tuesday.

WILL BE BRILLIANT AFFAIR

The Seventh Cavalry Troopers Camped on the Ground and Will be Drawing Card.

(Special to The Times-Dispatch.) LYNCHBURG, VA., October 8.—After months of preparation everything is in readiness for the third annual exhibition of the Lynchburg Horse Show Association, which commences on Tuesday and continues until Friday, the association giving five different performances in the four days.

It is claimed by the management of the association that when the city band plays the opening air at 8 o'clock on Tuesday evening, that the largest horse show of the entire State, both indoor and outdoor, will be on. There will be evening performances on each day of the show, while on Thursday, the big day, there will be an all day programme with only a short intermission for dinner.

The detachment of cavalry from Fort Meyer, which will appear at each performance, reached the city yesterday afternoon on a passenger train and these men are now in camp on a good location contiguous to the auditorium in which the horse show will take place. These soldiers are the subject of great interest and that they will prove a great drawing card during the show, there is not the slightest doubt.

Much interest centers in the two attempts on Tuesday and Friday night of Grey Rock, owned by Mr. Robert M. Taylor, of Baltimore, to break his record high jump and these will certainly be among the best features of those evenings.

The events for the show include, of course, the usual classes of harness, extra, and single horse classes, in which 170 horses, aside from those of the cavalry detachment, will participate. There will be over 400 entries during the entire show.

The big auditorium has been handsomely decorated and it will present an animated scene when filled with the large gathering of society folks who will gather next week to bow down to horse. Special trains have been secured from all directions on Thursday where the regular trains will not be adequate to the demands of persons coming to the show. On that day there will be no less than five excursions operated to the city on account of the horse show. The three roads centering here will sell round trip tickets at a single fare for the round trip.

Mrs. Grosvenor, with her string of

twenty-one horses, will leave Louisville on Sunday on a special train which is expected to arrive here early Monday. The train will be made up of two cars for the horses and two for traps and other apparatus. The horses of Mr. Courtland H. Smith, C. W. Smith and Charles R. Hoff, who have exhibited during the past week at Brooklyn, Mass., will reach here Sunday.

SPARK FROM MOTOR SETS MINE ON FIRE

(By Associated Press.) COQUILLE CITY, ORE., Oct. 8.—Miners from the Beaver Hill coal mine say that an electric spark from a motor on the sixth level caused an explosion, which seriously burned the motorman and another man and set fire to the entire mine.

The Beaver Hill mine is one of the richest coal properties in the State. If the configuration is as serious as reported, the damage will run into the millions.

(Continued on Seventh Page.)

SPLENDID HORSE SHOW IS CERTAIN

Properly Classified Entries Contain Country's Best Material.

FAVORITE CLASSES MORE NUMEROUS

Lists of Hunters and Jumpers Unusually Long—Exhibition of Regulars From United States Cavalry Entirely New and Thrillingly Interesting.

The entries have all been received and classified for the annual exhibition of the Richmond Horse Show Association at the amphitheatre from Tuesday, October 18th, to Saturday, October 22d. The management of the show is now engaged in making up from the fifty-two classes the programme for each evening and the time table of the classes.

After all, the evening's programme will have to be reserved for the exhibition of daring horsemanship and skill by a platoon of Troop G, of the famous Seventh Cavalry, which has been granted leave by the War Department to attend and participate in the show. This feature of the show promises to be one of the greatest attractions ever exhibited here.

The entries in the various classes are especially gratifying. There are five entries in the tandem, four and five in the four, a large number in all the pony classes, and the saddle classes are unusually well filled.

The entries in the saddle classes will bring together the greatest field of riding horses ever shown here. Among them are such horses as Petroleum, Robin Adair, Fleurette, Brilliant, Lady Olga, Corinne and Dixie.

The entries in the hunters and jumpers classes are the feature of the show, and of every show, and all these are filled unusually well. The field of hunters will be the greatest ever shown in a ring in this country. There are ten entries in the qualified heavyweight hunters; twelve pairs in the class of pairs of hunters; eighteen lightweight green hunters; nine heavyweight green hunters; twenty-six in the combined class; thirty-three in the free-for-all jumping class; twelve in the thoroughbred hunters; seventeen in the ladies' hunters; nineteen in the ladies' jumpers; contest six trials in the hunt teams class, and fifteen in the Deep Run Hunt Club class.

Classified Entries.

Here is the first complete list of the entries in proper classification, the names of the horses and exhibitors and of the class alone having been given heretofore:

Class 1, for roadsters—Crown Prince, Andrew Pollard; Chelicee, Thomas J. Moore; Rosalie S. E. A. Saunders; Red Bird, Richard B. Saunders; Stanhope B. S. H. Ellerson; Betty Wilkes, C. C. Beattie; Red Light, S. G. Atkins.

Class 2, for pairs of horses in harness—Maud Wilkes and Lily Whitehead, Richard B. Saunders; Red Bird and Rosalie S. E. A. Saunders, Jr.; Princess Eugenia and Bernal Maid, E. A. Saunders.

Class 3, horse and best appointed road rig—Crown Prince, Andrew Pollard; Chelicee, Thomas J. Moore; Rosalie S. E. A. Saunders; Red Bird, Richard B. Saunders; Stanhope B. S. H. Ellerson; Betty Wilkes, C. C. Beattie; Red Light, S. G. Atkins.

Class 4, single harness horses—Joe, David Dunlop; Mignonette, J. Kerr Branch; Carnation, Mrs. J. B. M. Grosvenor; Fascination, Mrs. J. B. M. Grosvenor; Mignonette and Heliotrope, J. Kerr Branch; Vivid and Venture, George Cole Scott; Carnation and Rose Leaf, Mrs. J. B. M. Grosvenor; Fascination and Elevator, Mrs. J. B. M. Grosvenor.

Class 5, single horse in harness—Extra News, Bresse and West; Town Topics, Bresse and West; Little Boy Blue and Jack Horner, Mrs. J. B. M. Grosvenor.

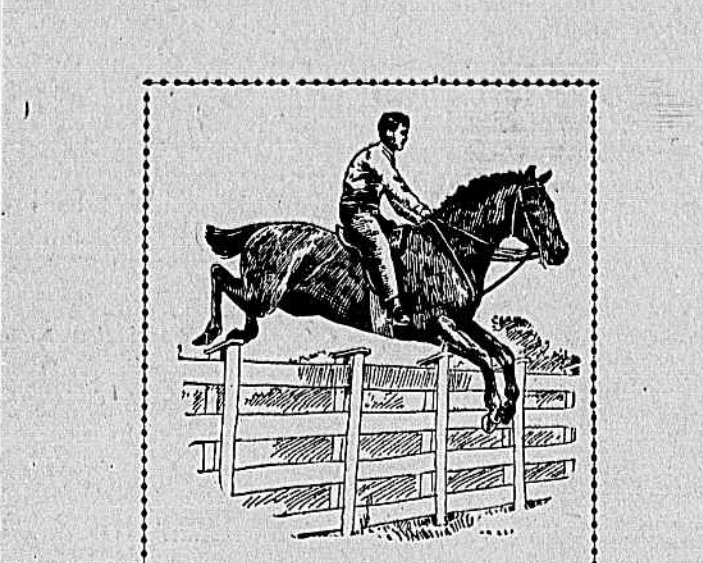
Class 6, pairs of horses in harness—Tom and Harry, Alexander Hamilton; Shamrock and Mock, E. S. Luck; Town Topics and Sporting Extra, Bresse and West; Little Boy Blue and Jack Horner, Mrs. J. B. M. Grosvenor.

Class 7, pairs of horses in harness—Chester, David Dunlop; Postscript, Bresse and West; Evening News, Bresse and West; Rosebury, Mrs. J. B. M. Grosvenor; Sultan, Mrs. J. B. M. Grosvenor.

Class 8, pairs of horses in harness—Chester and Chief, David Dunlop; Evening News and Postscript, Bresse and West; Sultan and Kheve, Mrs. J. B. M. Grosvenor; Traveler and Trumpeter, Mrs. J. B. M. Grosvenor.

Class 10, best ladies' pair in harness—Vivid and Venture, George Cole Scott; Extra News and Sporting News, Bresse and West.

(Continued on Seventh Page.)



Tip Top, Mrs. Courtland H. Smith's Thoroughbred Lightweight Hunter, Won Many Honors at the Richmond Show of 1902, But Was Not Shown Here Last Year Being at the Kansas City Show.

THE WILL OF GEO. M. JONES

Litigation Over It Settled Among Lawyers by Compromise.

LIBRARY FOR LYNCHBURG

By the Agreement the City Secures \$50,000 for a Free Library for White People.

(Special to The Times-Dispatch.) LYNCHBURG, VA., October 8.—The celebrated suit, which was instituted here about a year ago, attacking the validity of the last will of George M. Jones, was dismissed here to-day after a compromise, by which the city of Lynchburg will get \$50,000 for the erection of a free library for white people, in memory of his two deceased daughters, to be known as the George M. Jones Memorial Library.

The second trial of the case was to have begun Monday morning, but counsel engaged having arranged for a settlement, this latter was legally carried out in court to-day, and decrees were entered dismissing the suit.

COMPROMISE.

By this settlement, the will made by Jones on June 18, 1902, and superseding a former one, stands by its provision, the adopted daughter, Mae Little Jones, receives \$5,000; about \$24,500 is left to relatives; \$300 to servants; \$1,000 to Randolph Macon Woman's College and the residue to his wife, Mrs. Mary F. Jones. The estate was originally appraised at \$452,000, but is supposed to have increased in value. Included in the settlement is a deed by which Mrs. Mary F. Jones gives \$50,000 to purchase a site and build the library.

The first trustees of which will be J. Gordon Payne, Walker Pettiglow and O. B. Baker and Dr. W. B. Hatcher.

RESULT OF CONFERENCES.

This adjustment is the outcome of repeated conferences between counsel on both side of the case, held at various times, since the first trial was had in the Courtroom here.

Had the suit to break the will prevailed, the library scheme would have received a very much larger sum, perhaps as much as \$250,000 in consequence of the enhanced value of the estate. Subsequently to the making of the original bequest, but it is inferred from the adjustment made that the contestants of the will preferred to have a sure thing of the \$50,000 library and other concessions involved, if any, than to continue the litigation in court.

PRINCES OF HOUSE OF ORLEANS IN NEW YORK

(By Associated Press.) NEW YORK, October 8.—Two princes of the House of Orleans arrived to-day on the French line steamship La Touraine from Havre. They were Prince Louis d'Orleans and his brother, Prince Antoine d'Orleans and Braganca, but their names appeared on the list as L. and A. DeMora.

They are the sons of Prince Louis Philippe Gaston, Count D'Eu, who was a brother of the grandfather of the "ast King of France. They expect to remain six weeks in this country, visiting St. Louis, Chicago and other cities.

BIG CROWD SAW FINAL BALL GAME

Imperials Take the First Game and Brownies the Second.

HEAVY BATTING BY THE CHAMPIONS

Barton Heights Tries Four Pitchers, But the Brownies Win Out—The Games Are a Stand Off at the Close.

The base-ball season closed here yesterday afternoon before about 5,000 people. The weather was fine, and the two games were enjoyed, although the first was slow and far below the spicy work of the second.

In the first, the Imperials caught three runs, one of them earned. The Brownies could do nothing with Fitz, and in all except the second inning it was a case of one, two, three.

In the second, Jones caught his base on balls, but was landed at third, and Anthony and Knowles followed Jones, also took a walk in the fourth, but was doubled up at second on Anthony's out at first. Hicks hit out for three bags in the sixth. He ran around from third toward the plate, but Holland and McEvoy passed the ball in so rapidly to Bacha, that the runner was landed, making the third man out. Bigbie hit for two bags in the ninth, but was caught in attempting to steal third.

There was nothing doing for the Brownies, but the Imperials gradually piled up their runs until they amounted to three.

Holland made the first. He walked and scored on McEvoy's two-bagger. In the sixth, Bacha safed on Jones's error in dropping a fly. He was sacrificed by Boone, who was out on Triton's out, and scored on an error by McEvoy. The third and last run was made in the eighth, Bacha singled nicely, and pilfered second and third. He scored on Knightley's outfield fly, and Boone and Fitz were struck out by Winston, who relieved Hulcher in the seventh.

BARTON HEIGHTS.

Players.	A.	B.	R.	H.	O.	A.	E.
Rose, 1f.....	4	0	0	0	0	0	0
Holland, 2f.....	4	1	0	1	0	1	0
McEvoy, 2f.....	3	0	0	1	3	0	0
Taylor, 1f.....	4	0	0	0	0	0	0
Bacha, 2b.....	3	2	1	5	3	0	0
Boone, 2b.....	3	0	0	1	2	0	0
Knightley, 2f.....	4	0	1	5	1	0	0
Fitz, 1b.....	2	0	1	2	0	0	0
Triton, 1b.....	3	0	1	1	0	0	0
Totals.....	28	8	3	24	10	0	0

BROWNIES.

Players.	A.	B.	R.	H.	O.	A.	E.
Frost, 2b.....	4	0	0	1	6	0	0
Bigbie, 1f.....	4	0	1	1	0	0	0
Hicks, 1f.....	4	0	1	1	0	0	0
Jones, 1f.....	1	0	0	0	1	0	0
Anthony, 1b.....	3	0	10	1	1	0	0
Knowles, 2b.....	3	0	0	0	0	0	0
Winston, 1f.....	0	0	0	0	0	0	0
Sharp, 2b, 1f.....	3	0	0	0	1	0	0
McLeavy, 2f.....	3	0	1	7	0	1	0
Hulcher, 1f.....	2	0	1	1	0	0	0
Totals.....	27	0	3	24	10	0	0

The score by innings:

Barton Heights..... 1 0 0 0 1 0 1 0 3
Brownies..... 0 0 0 0 0 0 0 0 0
Summary: Two base hits, Bigbie, McEvoy; three base hits, Hicks; stolen bases, Bacha (2), Knightley, Fitz; double plays, McEvoy and Fitz; base on balls, off Fitz 2, off Hulcher 2; struck out, by Fitz 4, by Hulcher 2, by Winston 3. Time of game 1:25. Umpire, Enoch. Attendance, 2,000.

Second Game.

The second game was fast and furious from the start.

The Brownies started in to win, and they clinched the game in the first two innings, by heavy hitting and good baserunning. With four hits and fine field work, three earned runs were scored in the second the victory was won with three more on three hits, a pass and an error. Then things went slow to the sixth, when six runs were made on a double by Bigbie, a triple by Hicks, a single by Lewis and an error by Triton. Then the champions were satisfied, and despite every effort on the part of the Imperials, and the running of four pitchers,

HUMOROUS SIDE OF THINGS PROMINENT IN THE PUBLIC EYE.

